

the tincture opium was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopœia, official at the time of investigation, in that it yielded approximately 0.70 of a gram of anhydrous morphine per 100 mls, whereas said pharmacopœia provided that tincture of opium should yield not less than 0.95 of a gram of anhydrous morphine per 100 mls, and the standard of strength, quality, and purity of the said article was not declared on the container thereof.

Misbranding of the heroin hydrochloride tablets and the morphine sulphate tablets was alleged for the reason that the statements, to wit, "Tablet Triturate Heroin Hydrochloride 1/24 Grain" and "Tablets Morphine Sulphate 1-8 Gr.," borne on the labels of the bottles containing the respective products, were false and misleading, in that the said statements represented that each of said tablets contained 1/24 grain of heroin hydrochloride, or 1/8 grain of morphine sulphate, as the case might be, whereas each of the said tablets contained less heroin hydrochloride, or less morphine sulphate, than declared in the labels. Misbranding of the tincture opium was alleged for the reason that the statement, "Tincture Opium U. S. P. 9th Revision * * * Opium in each fld. oz. 45 6-10 gr. Standard, 1.25 Per Cent of Crystallizable Morphine," borne on the label, was false and misleading, in that it represented that the article was tincture opium which conformed to the United States Pharmacopœia, 9th Revision, and that it contained in each fluid ounce 45.6 grains of opium and 1.25 per cent of crystallizable morphine, whereas it was not tincture opium which conformed to the United States Pharmacopœia, 9th Revision, it did not contain 45.6 grains of opium in each fluid ounce but did contain a less amount, and it did not contain 1.25 per cent of crystallizable morphine but did contain a less amount.

On September 25, 1925, the defendant entered pleas of guilty to the informations, and the court imposed fines in the aggregate amount of \$150.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13786. Adulteration and misbranding of canned tuna fish. U. S. v. 7 Cases of Tuna Fish. Default order of destruction entered. (F. & D. No. 19921. I. S. No. 16254-v. S. No. E-5197.)

On March 26, 1925, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 7 cases of tuna fish, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by the M. de Bruyn Importing Co., from New York, N. Y., on or about December 2, 1924, and transported from the State of New York into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "California Tuna Standard All Light Meat."

Adulteration of the article was alleged in the libel for the reason that a substance, yellowtail, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly and in part for the said article.

Misbranding was alleged for the reason that the statement "California Tuna Standard All Light Meat," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On August 7, 1925, no claimant having appeared for the property, judgment of the court was entered, ordering that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13787. Adulteration of shell eggs. U. S. v. 384 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20423. I. S. No. 1405-x. S. No. C-4796.)

On or about August 25, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 384 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Stensvad Poultry Co., from North Platte, Nebr., August 19, 1925, and trans-